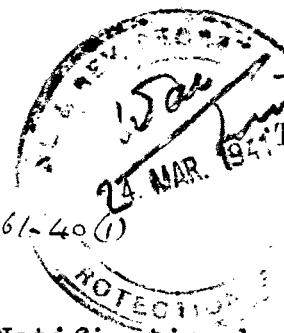

PRESERVED

App. F. IX-4

1940
~~193 .~~
(Legis)

File No. 46-40

Serial Nos. 1

Previous References
Legis 33-39 (5)

Later References.

17

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

Part B for April 1941.

SUBJECT.

Amendments to Registration of Foreigners Rules

WD 0573—GPB—22,500—12-3-39

5.4.41

Amendments to Registration of Foreigners Rules

General and Revenue Secretariat | File No. of 194 | [App. F. III-

Serial No.

From

The Secretary to the Hon'ble the Resident

C.7. 61-40(1)/ dated 21-3.41

Forwards certain amendments to Registration of Foreigners Ru

OFFICE OF THE
FIRST MEMBER OF COUNCIL
MAR 27 1941
No 9762

In June 1939, the Registration of Foreigners (Emergency) Act was passed as an emergency measure and certain rules were framed thereunder, called the Registration of Foreigners Rules.

Flag W.

The Emergency Act was replaced by a permanent measure (Act V of 1940) but under section 9 of this Act, the Rules were given a fresh life and are now in force.

Flag G.

The present amendments are to these rules (as amended in December 1939).

Though the Emergency Act provided for previous publication, this condition was omitted when enacting the permanent measure. Previous publication is not therefore now necessary.

A draft notification making the amendments as in British India is put up. Suitable modifications have been made therein.

Submitted for orders

BM 25.3.41

May be approved

26/3

Law Secy)

I Member)

6599
27/3

Hm
27/3/41.

27/3

29/3/41

TYPING SECTION
29 MAR. 1941
GEN. & REV. SECTT.

Issue

BM
29/3

Hm
29/3/41
29/3

Registration of Foreigners (amendment) Rules

5439/P

General and Revenue
Secretariat

File No. of 194

Serial No.

Issue notification P 4941 dated Legs 46-40-1 d 1.4.41 to Compiler.

Memo no P 4942 d 1.4.41 to D.G.P. forwarding copy of above

The notification has appeared in part IV of the Gazette of the 3rd April 1941.

5437840 to P
Pol 2457

24 MAR. 1941

The Residency,

Bangalore.

No. CF. 61-40 (1)

21st March 1941.

Notification by the Govt. of India, Home Department, Political (E), No.21/34/40, dated 18th February 1941.

Forwarded with the compliments of the Secretary to the Hon'ble the Resident in Mysore.

C.S. (War)
21/3

To
The Chief Secretary to the Government
of His Highness the Maharaja
of Mysore.

5 copies.

HOME DEPARTMENT

NOTIFICATION

POLITICAL (E)

New Delhi, the 18th February 1941

No. 21/34/40.—In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, 1939, the same having been previously published as required by the said section, namely:—

In Rule 15 of the said Rules:—

(a) in sub-rule (*1*), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by snb-rule (*1B*), produce at the time of making the report under rule 11";

(b) in sub-rule (*1A*) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), surrender at the time of making the report required by rule 11";

(c) after sub-rule (*1A*), the following sub-rule shall be inserted, namely:—

"(1B) Every tourist shall, subject to the provisions of sub-rule (*3*), on his departure from British India, surrender his certificate of Registration—

(a) if he departs on board any vessel, to the Registration Officer of the place from which the vessel leaves British India or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from British India by land, to the Registration Officer having jurisdiction at the place from which he departs from British India";

(d) in sub-rule (*3*), for the words, brackets, figures and letter "Nothing in sub-rule (*1*) or sub-rule (*1A*)" the following shall be substituted, namely:—

"Nothing in sub-rule (*1*), (*1A*), or (*1B*)".

H. J. FRAMPTON,

Deputy Secy. to the Govt. of India.

GIPD—L586HD—6-3-41—1,125.

HOME DEPARTMENT

NOTIFICATION

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New Delhi, the 18th February 1941

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(b) in sub-rule (*1A*) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), surrender at the time of making the report required by rule 11";

(c) after sub-rule (*1A*), the following sub-rule shall be inserted, namely:—

"(1B) Every tourist shall, subject to the provisions of sub-rule (*3*), on his departure from British India, surrender his certificate of Registration—

(a) if he departs on board any vessel, to the Registration Officer of the place from which the vessel leaves British India or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from British India by land, to the Registration Officer having jurisdiction at the place from which he departs from British India";

(d) in sub-rule (*3*), for the words, brackets, figures and letter "Nothing in sub-rule (*1*) or sub-rule (*1A*)" the following shall be substituted, namely:—

"Nothing in sub-rule (*1*), (*1A*), or (*1B*)".

H. J. FRAMPTON,
Deputy Secy. to the Govt. of India.

GIPD—L586HD—6-3-41—1,125.

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In Rule 15 of the said Rules:—

(a) in sub-rule (*1*), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by snb-rule (*1B*), produce at the time of making the report under rule 11";

(b) in sub-rule (*1A*) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), surrender at the time of making the report required by rule 11";

(c) after sub-rule (*1A*), the following sub-rule shall be inserted, namely:—

"(1B) Every tourist shall, subject to the provisions of sub-rule (*3*), on his departure from British India, surrender his certificate of Registration—

(a) if he departs on board any vessel, to the Registration Officer of the place from which the vessel leaves British India or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from British India by land, to the Registration Officer having jurisdiction at the place from which he departs from British India";

(d) in sub-rule (*3*), for the words, brackets, figures and letter "Nothing in sub-rule (*1*) or sub-rule (*1A*)" the following shall be substituted, namely:—

"Nothing in sub-rule (*1*), (*1A*), or (*1B*)".

H. J. FRAMPTON,

Deputy Secy. to the Govt. of India.

HOME DEPARTMENT

NOTIFICATION

POLITICAL (E)

New Delhi, the 18th February 1941

No. 21/34/40.—In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, 1939, the same having been previously published as required by the said section, namely:—

In Rule 15 of the said Rules:—

(a) in sub-rule (*1*), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by snb-rule (*1B*), produce at the time of making the report under rule 11";

(b) in sub-rule (*1A*) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), surrender at the time of making the report required by rule 11";

(c) after sub-rule (*1A*), the following sub-rule shall be inserted, namely:—

"(1B) Every tourist shall, subject to the provisions of sub-rule (*3*), on his departure from British India, surrender his certificate of Registration—

(a) if he departs on board any vessel, to the Registration Officer of the place from which the vessel leaves British India or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from British India by land, to the Registration Officer having jurisdiction at the place from which he departs from British India";

(d) in sub-rule (*3*), for the words, brackets, figures and letter "Nothing in sub-rule (*1*) or sub-rule (*1A*)" the following shall be substituted, namely:—

"Nothing in sub-rule (*1*), (*1A*), or (*1B*)".

H. J. FRAMPTON,
Deputy Secy. to the Govt. of India.

GIPD—L586HD—6-3-41—1,125.

NOTIFICATION.

Order No. P. 5334—*Legis.* 42-39-1, *dated Bangalore the* 6*th February* 1940.

Ordered that the accompanying Act to provide for the Registration of Foreigners in Mysore which received the assent of His Highness the Maharaja, on the 30th day of January 1940, be published as Act V of 1940, in the *Mysore Gazette* for general information.

C. SUBRAHMANYA AIYAR,
Secretary to Government,
Law Department.

ACT No. V OF 1940.

The Registration of Foreigners Act, 1940.

An Act to provide for the Registration of Foreigners in Mysore.

(*Received the assent of His Highness the Maharaja, on the* 30*th day of January* 1940).

WHEREAS it is necessary to provide for the registration of foreigners entering, being present in, and departing from, Mysore;

It is hereby enacted as follows:—

Short title and extent. 1. (*1*) This Act may be called the Registration of Foreigners Act, 1940.

(*2*) It extends to the whole of Mysore.

Definitions. 2. In this Act—

(*a*) the word "foreigner" shall denote a person who is not—

(i) a subject of His Highness the Maharaja; or
(ii) a British subject domiciled in the United Kingdom; or
(iii) a British Indian subject; or
(iv) a ruler or subject of an Indian State; or

(v) a person duly appointed by a foreign government to exercise diplomatic functions; or

(vi) a consul or a vice-consul;

(*b*) "prescribed" means prescribed by rules made under this Act.

Power to make rules.

3. The Government may, by notification in the official Gazette, make rules with respect to foreigners for any or all of the following purposes, that is to say—

(*a*) for requiring any foreigner entering, or being present in, Mysore to report his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*b*) for requiring any foreigner moving from one place to another place in Mysore to report, on arrival at such other place, his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*c*) for requiring any foreigner who is about to leave Mysore to report the date of his intended departure and such other particulars as may be prescribed to such authority and within such period before departure as may be prescribed;

(*d*) for requiring any foreigner entering, being present in, or departing from, Mysore to produce, on demand by a prescribed authority, such proof of his identity as may be prescribed;

(*e*) for requiring any person having the management of any hotel, boarding-house, sarai or any other premises of like nature to report the name of any foreigner residing therein for whatever duration, to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(*f*) for requiring any person having the management or control of any vessel or aircraft to furnish to a prescribed authority such information as may be prescribed regarding any foreigner entering, or intending to depart from, Mysore in such vessel or aircraft, and to furnish to such authority such assistance as may be necessary or prescribed for giving effect to this Act;

(*g*) for providing for such other incidental or supplementary matters as may appear to the Government necessary or expedient for giving effect to this Act.

Burden of proof.

4. If any question arises with reference to this Act or any rule made thereunder, whether any person is or is not a foreigner, or is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Indian Evidence Act, 1872, as in force in Mysore, lie upon such person.

Penalties.

5. Any person who contravenes, or attempts to contravene, or fails to comply with, any provision of any rule made under this Act shall be punished, if a foreigner, with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both, or if not a foreigner, with fine which may extend to five hundred rupees.

Power to exempt from application of Act.

✓6. The Government may, by order, declare that any or all of the provisions of the rules made under this Act shall not apply, or shall apply only with such modifications or subject to such conditions as may be specified in the said order, to or in relation to any individual foreigner or any class or description of foreigner.

Protection to persons acting under this Act.

7. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Application of other laws not barred.

8. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

Saving

9. Any rules made, anything done and any action taken in exercise of any power conferred by or under the Registration of Foreigners (Emergency) Act, 1939 (Act No. IX of 1939), shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 30th day of June 1939.

MIRZA M. ISMAIL,
Dewan.

Price 0-0-6.

Printed by the Superintendent at the Government Press, Bangalore.

ale

12 copies

No. P4941 Lgi 46-40-18 1.4.41

Notification.

In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (V of 1940), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, 1939, namely:--

In Rule 15 of the said Rules:-

(a) in sub-rule (1), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely-

"shall, unless, being a tourist, his case is governed by sub-rule (1B), produce at the time of making the report under rule 11";

(b) in sub-rule (1A) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:-

"shall, unless, being a tourist, his case is governed by sub-rule (1B), surrender at the time of making the report required by rule 11;"

(c) after sub-rule (1A), the following sub-rule shall be inserted, namely:-

"(1B) Every tourist shall, subject to the provisions of sub-rule (3), on his departure from Mysore, surrender his certificate of Registration--

(a) if he departs on board any aircraft, to the Registration Officer of the place from which the aircraft leaves Mysore or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from Mysore by land, to the Registration Officer having jurisdiction at the place from which he departs from Mysore";

(d) in sub-rule (3), for the words, brackets, figures and letter "Nothing in sub-rule (1) or sub-rule (1A)" the following shall be substituted, namely-

"Nothing in sub-rule (1), (1A), or (IB)".

By Order,

27/3

Secy. to Govt.
Law Dept.

To

The Compiler, Mysore Gazette, for publication in part IV - sending 50 spare copies very early.

No. P 4942 d/ 1.4.41

Copy of the above is forwarded with compliments to the Inspector General of Police in Mysore, for information. and necessary action.

By Order,

27/3.

Secy. to Govt.
Law Dept.

26/3

12

31/3/41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. R 4944 General and Revenue Secretariat,
Lys 46-40-1.
Dated Bangalore, 18th April '41

NOTIFICATION.

In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (V of 1940), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, 1939, namely:-

In Rule 15 of the said Rules:-

(a) in sub-rule (1), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely

"shall, unless, being a tourist, his case is governed by sub-rule (1B), produce at the time of making the report under rule 11";

(b) in sub-rule (1A) for the words and figures "shall on making the report required by rule 11 surrender" and following shall be substituted, namely:-

"shall unless, being a tourist, his case is govered by sub-rule (1B) surrender at the time of making the report required by rule 11;"

(c) after sub-rule (a1A), the following sub-rule shall be inserted namely:-

"(1B) Every tourist shall, subject to the provisions of sub-rule (3), on his departure from Mysore, surrender his certificate of Registration--

(a) if he departs on board any air-craft, to the Registration Officer of the place from which the aircraft leaves Mysore or to such authority as the said officer may appoint in this behalf; and

(b) if he departs from Mysore by land, to the Registration Officer having jurisdiction at the place from which he departs from Mysore";

(d) in sub-rule (3), for the words, brackets, figures and letter "Nothing in sub-rule (1) or sub-rule (1A)" the following shall be substituted, namely :-
"Nothing in sub-rule (1), (1A), or (1B)".

By Order,
31/3/41
Secretary to Government,
Law Department.

P.T.O.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ....   General and Revenue Secretariat,

Dated Bangalore, ...

NOTIFICATION.

In exercise of the powers conferred by section [illegible] of the Registration of Foreigners Act, [illegible] (V of [illegible]), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, [illegible], namely:-

In rule 13 of the said Rules-

(a) in sub-rule (1), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely :-

"shall, unless, being a tourist, his case is governed by sub-rule (1A), produce at the time of making the report under rule 11";

(b) in sub-rule (2), for the words and figures "shall, on making the report required by rule 11 surrender" the following shall be substituted, namely:-

"shall unless, being a tourist, his case is governed by sub-rule (1A) surrender at the time of making the report required by rule 11;"

(c) after sub-rule (2A), the following sub-rule shall be inserted, namely:-

"(2B) Every tourist shall, subject to the provisions of sub-rule (3), on his departure from Mysore, surrender his certificate of registration--

(a) if he departs on board an air-craft, to the [illegible] officer of the place from which the aircraft leaves or to such authority as the said officer may appoint in this behalf; and

(b) if he departs from Mysore by land, to the registration officer having jurisdiction at the place from which he departs from Mysore";

(d) in sub-rule (3), for the words, brackets, figure and letter "nothing in sub-rule (1) or sub-rule (2A)" the following shall be substituted, namely :-
"nothing in sub-rule (1), (2), or (2B)".

17 [illegible]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ....

General and Revenue Secretariat,

Dated Bangalore, ...

NOTIFICATION.

In exercise of the powers conferred by section [illegible] of the [illegible] Registration [illegible] Act, [illegible] of 19[illegible], the Government of His Highness the Maharaja are pleased to direct that the following further [illegible] shall be made in the Registration [illegible] Rules, [illegible], namely:-

In Rule 35 of the said Rules:-

(a) In sub-rule (1), for the words [illegible] a small, [illegible] the report required by rule 11, [illegible] the following [illegible] be substituted, namely:

"[illegible], unless, [illegible], in cases [illegible] by sub-rule (11), [illegible] at the time of [illegible] the report [illegible] rule 11;

(b) In sub-rule (2) [illegible] the [illegible] shall [illegible] the following shall be substituted, namely:-

[illegible] unless, [illegible], in cases as [illegible] by sub-rule (11) [illegible] time of [illegible] the report [illegible] by rule 11;

(c) after sub-rule (11), the following sub-rule shall be [illegible], namely:-

"(12) Every [illegible] shall, subject to the provisions of sub-rule (1), on the [illegible] from [illegible] his [illegible] of registration:-

(a) [illegible] sub-rule, to the registration officer [illegible] more [illegible] be [illegible]

(b) [illegible] report [illegible] registration officer having jurisdiction of the place from which he departs [illegible];

(c) In sub-rule (3), for the words, letters, figures and letter [illegible] in sub-rule [illegible] or sub-rule (11) the following shall be substituted, namely:-
"Nothing in sub-rule (1), (11), or (12)".

By Order,

B.K. Ramakrishnaiya

for [illegible] Secretary to Government,
Law Department.

T.O

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ....

General and Revenue Secretariat,

Dated Bangalore, ...

NOTIFICATION.

In exercise o[illegible] the [illegible] conferred [illegible] [illegible] of the [illegible] of [illegible] [illegible], the Government of His Highness the Maharaja are pleased to direct that the following [illegible] shall be made in the [illegible] [illegible] Rules, [illegible], namely:-

In Rule 13 of the said Rules:-

(a) In sub-rule (1), for the [illegible] [illegible] the report [illegible] [illegible] 11, [illegible] the following shall be substituted, namely :

[illegible] animals, being [illegible] [illegible], [illegible] [illegible] sub-rule (2), [illegible] the time of [illegible] the report under rule 11 ;

(b) In sub-rule (2) for the [illegible] shall be [illegible] the report [illegible] rule 11 [illegible] the following [illegible], namely:-

(3)

[illegible] animals, [illegible] [illegible] [illegible] sub-rule [illegible] of [illegible] the time of [illegible] the report required by rule 11;

(c) after sub-rule (2), the following sub-rule shall be [illegible] namely:-

(3) Every [illegible] shall, subject to the provisions of sub-rule (3), [illegible] from [illegible] [illegible] certificate of registration--

(a) if he departs [illegible] by air-craft, to the [illegible] [illegible] of the place [illegible] the aircraft leaving [illegible] [illegible] this be[illegible]

(b) if he departs [illegible] by land, to the Registration Officer having jurisdiction [illegible] the place from which he departs [illegible] :

(d) In sub-rule (3), for the [illegible] [illegible] and [illegible] [illegible] sub-rule [illegible] sub-rule (1) the following shall be substituted, namely:- [illegible] or [illegible]

By order,

B.K. Ramakrishnaiya

for Secretary to Government,

[illegible] Department.

P.T.O

~~HOME DEPARTMENT~~

NOTIFICATION

~~POLITICAL (E)~~

~~*New Delhi, the 18th February 1941*~~

~~**No. 21/34/40.**~~—In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 ~~(XVI of 1939)~~ (V of 1940), the ~~Central Government~~ [illegible] ~~is~~ pleased to direct that the following further amendments shall be made in the Registration of Foreigners Rules, 1939, ~~the same having been previously published as required by the said section,~~ namely:—

In Rule 15 of the said Rules:—

(a) in sub-rule (*1*), for the words and figures "shall, on making the report required by rule 11, produce" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), produce at the time of making the report under rule 11";

(b) in sub-rule (*1A*) for the words and figures "shall on making the report required by rule 11 surrender" the following shall be substituted, namely:—

"shall, unless, being a tourist, his case is governed by sub-rule (*1B*), surrender at the time of making the report required by rule 11";

(c) after sub-rule (*1A*), the following sub-rule shall be inserted, namely:—

"(1B) Every tourist shall, subject to the provisions of sub-rule (*3*), on his departure from ~~British India,~~ Myanmar surrender his certificate of Registration—

(a) if he departs on board any ~~vessel~~ aircraft, to the Registration Officer of the place from which the ~~vessel~~ aircraft leaves ~~British India~~ Myanmar or to such authority as the said Officer may appoint in this behalf; and

(b) if he departs from ~~British India~~ Myanmar by land, to the Registration Officer having jurisdiction at the place from which he departs from ~~British India~~ Myanmar";

(d) in sub-rule (*3*), for the words, brackets, figures and letter "Nothing in sub-rule (*1*) or sub-rule (*1A*)" the following shall be substituted, namely:—

"Nothing in sub-rule (*1*), (*1A*), or (*1B*)".

~~H. J. FRAMPTON,~~
~~*Deputy Secy. to the Govt. of India.*~~

Secy of Govt
Law Dept

GIPD—L586HD—6-3-41—1,125.